



Hamilton, Brook, Smith & Reynolds, P.C.
530 Virginia Road PO Box 9133
Concord, MA 01742-9133

T 978.341 0036
F 978.341 0136
www.hbsr.com

CENTRAL LOCATION

**RECEIVED
CENTRAL FAX CENTER**

JUN 20 2007

FACSIMILE COVER SHEET

Examiner: Jeffrey J. Piziali **Group:** 2629

Date: June 20, 2007

Client Code: 0717

Facsimile No.: 571-273-8300

From: Darrell L. Wong, Esq.

Subject: Response to Notice of Non-Compliant Amendment

Docket No.: 0717.2037-001

Applicant: Mark H. Crane, *et al.*

Application No.: 10/647,059

Filing Date: August 22, 2003

Number of pages including this cover sheet: 16

Please confirm receipt of facsimile: Yes ☒ No ☐

Comments:

734018.1

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.

C:\NrpPort\Nimanag\BTRIGILIO\734023_1.DOC
DLW/bat
June 20, 2007

PATENT APPLICATION
DOCKET NO. 0717 2037-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark H. Crane, Michael J. Presz and Lawrence M. Cuprys
Application No.: 10/647,059 Group: 2629
Filed: August 22, 2003 Examiner: Jeffrey J. Piziali
Confirmation No.: 9713
For: HEADGEAR SYSTEM WITH DISPLAY

**RECEIVED
CENTRAL FAX CENTER**

JUN 20 2007

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
June 20, 2007	<i>Brenda Trigilio</i>
Date	Signature
Brenda Trigilio	
Typed or printed name of person signing certificate	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Notice of Non-Compliant Amendment for filing in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- ☐ A Small Entity Statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

10/647,059

-2-

**RECEIVED
CENTRAL FAX CENTER****JUN 20 2007****The claims fee has been calculated as shown below:**

					SMALL ENTITY		OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE	
TOTAL	20	MINUS	* 20	0	X \$25	\$	X 50	\$ 0	
INDEP	4	MINUS	** 4	0	X \$100	\$	X \$200	\$ 0	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP CLAIM					+	\$180	\$	+	\$360
					TOTAL = \$ 0		TOTAL = \$ 0		

* not fewer than 20
** not fewer than 3

The Application Size Fee has been calculated as shown below:
(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)	SMALL ENTITY		OTHER THAN SMALL ENTITY		Payment Sufficient for up to
			Rate	Total Amount Owed	Rate	Total Amount Owed	
			X \$125	\$[]	X \$250	\$[]	[] Sheets

Petition for Extension of Time

☐ Applicant hereby petitions to extend the time to respond to the [] dated [] for [] month(s) from [] to []. The appropriate fee is set forth below.

10/647,059

-3-

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:	\$	_____
		\$	_____
		\$	_____
TOTAL:		\$	0

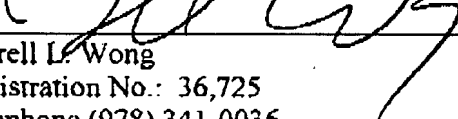
A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:	\$	_____
		\$	_____
		\$	_____
TOTAL:		\$	0

- ☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Darrell L. Wong
Registration No.: 36,725
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: June 20, 2007

734014_1
NSP/DLW/bat
June 19, 2007


PATENT APPLICATION
Attorney's Docket No. 0717.2037-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

JUN 20 2007

Applicant: Mark H. Crane, Michael J. Presz and Lawrence M. Cuprys
Application No.: 10/647,059 Group: 2629
Filed: August 22, 2003 Examiner: Jeffrey J. Piziali
Confirmation No: 9713
For: HEADGEAR SYSTEM WITH DISPLAY

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
June 20, 2007 Date	 Signature
Brenda Trinkle Typed or printed name of person signing certificate	

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response is being filed in reply to the Notice of Non-Compliant Amendment mailed from the U.S. Patent and Trademark Office on June 11, 2007 in the above-identified application. This Response is substantially the same as the Amendment filed on March 28, 2007 in reply to the February 6, 2007 Office Action, differing in that a typographical error to Claim 9 has been corrected. In particular, the underline beneath the word "having" on line 5 of Claim 9 has been removed.

Please amend the application as follows: